IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3022 of 2005

Between:

1. S.V. Bhaskar, S/o. S. Kondal Rao,
   SBI, R/o. 1-1-170/1/1, Chandanagar, Hyderabad.
2. M. Benjamin, S/o. M. David,
   Government of India, R/o. 1-170, Chandanagar, Hyderabad.
3. K. Lakshmi, D/o. K. Ratnajirao,
   R/o. 1-1-170/1, Chandanagar, Hyderabad.

... PETITIONERS

AND

1 The District Collector, Ranga Reddy District, Hyderabad.
2 Mandal Revenue Officer, Serlingampally Mandal,
Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents herein proposing to demolish the portions of the buildings bearing Door
Nos.1-170/1/1, 1-170, and 1-170/1 in survey Number 177, Chandanagar village Serilingampalli Mandal, Ranga Reddy District without serving notice as illegal, arbitrary and without jurisdiction.

Counsel for the Petitioner: MR.VINAY KAMISETTY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

The petitioners filed this writ petition aggrieved by the alleged action of the respondents in seeking to demolish the portions of the buildings bearing Door Nos.1-170/1/1, 1-170 and 1-170/1, in Sy.No.177, Chandanagar Village, Serilingampalli Mandal, Ranga Reddy District.

The petitioners state that they have purchased different extents of land in Sy.No.177 under a registered sale deeds and have constructed the respective houses. It is alleged that the respondents have been interfering with the possession of their houses and taking steps to demolish the compound wall situated around the said houses, without there being any justifiable reason. Hence, this writ petition.

When the matter is taken up for consideration, the learned Government Pleader for Revenue, under instructions, states that there is no interference by the respondents with the possession of the petitioners in Sy.No.177 of Chandanagar Village which is said to have been purchased by the petitioners under a registered sale deed. However, he adds that Sy.No.174, which is adjacent to Sy.No.177 is a Government land through which a natural nala is flowing and that illegal compound walls were found to be constructed in Sy.No.174, obstructing flow of the natural water. Therefore, the said constructions were removed to clear flow of the water, but the respondents have not removed any structures in Sy.No.177.

The statement of the learned Government Pleader is placed on record and the writ petition is disposed of leaving it open to the respondents to take necessary action so far as the structures raised in Sy.No.174 is concerned. However, it is made clear that the respondents shall not interfere with the properties situated in Sy.No.177 at Chandanagar Village, Serilingampalli Mandal, R.R. District, without following due process of law.

Accordingly the writ petition is disposed of. No order as to costs.

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G. ROHINI, J

Dated: 21-02-2005

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Ranga Reddy District, Hyderabad.
2 Mandal Revenue Officer, Serlingampally Mandal,
Ranga Reddy District.

3 Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad, (O.U.T.)

4 Two C.D. copies.